

Public Works & Water Utilities**Transportation Engineering and Construction Inspection**

408 Third Avenue

Longmont, CO 80501

303-851-8304 • Fax: 303-851-8898 • www.ci.longmont.co.us

219158



April 23, 2007

Mr. Vernon Williams, Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: Request for Extension – BNSF Railway Company, Abandonment in
Boulder County, Colorado (Docket AB-6, Sub No. 442X)


Via Fax: Fax No: 202-245-0458 (Original to Follow)

Dear Secretary Williams:

The City of Longmont, Colorado requested the filing of an NITU (Notice of Interim Trail Use) in our letter to the Surface Transportation Board dated, October 3, 2006 (see attached). The City of Longmont is requesting a 60 day extension to complete our work in the abandonment of this section of BNSF's rail line. We are working to get this resolved, but request the time extension to allow BNSF and the City of Longmont time to complete and execute an agreement on this matter.

Please feel free to contact me if you have any questions or need any additional information.

Respectfully,


Nick Wolfrum, P.E.
City Engineer

ENTERED
Office of Proceedings

APR 24 2007

Part of
Public Record

CC: Jake DeBoever, BNSF Railway Company
John Sims, BNSF Railway Company
Dale Rademacher, Public Works and Water Utility Department Director
Don Beseler, Parks and Open Space
Steve Rainsweller, Parks and Open Space
James Rourke, Deputy City Attorney



OFFICE OF THE MAYOR & CITY COUNCIL

October 3, 2008

Vernon Williams, Secretary
Surface Transportation Board
1925 K Street N.W.
Washington, DC 20423-0001

**RE: The Burlington Northern and Santa Fe Railway Company --
Abandonment in Boulder County, Colorado (Docket AB-6, Sub
No. 442X)**

Dear Secretary Williams,

The City of Longmont requests the filing of an NTU (Notice of Interim Trail Use) in the above referenced proceeding. In support of this request, the alliance states the following:

Statement of Willingness to Assume Financial Responsibility

In order to establish interim trail use and rail banking under 16 U.S.C. 1247 (d) and 49 CFR 1152.29, the City of Longmont ("Interim Trail User"), is willing to assume full responsibility for management of, for any legal liability arising out of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability to the extent allowed by law), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned and operated by The BNSF Railway Company, (Railroad) with respect to that portion of the right of way in Boulder County, Colorado. The property extends from Milepost 35.59 to Milepost 36.72 in Longmont, a distance of 1.13 miles in Boulder County, Colorado. The right of way is a line proposed for abandonment in Docket AB-6, Sub-No.442X.

A map depicting the property is enclosed.

The City of Longmont acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right of

Mayor -
John Finnack

Mayor Pro Tem
Roger Lange - At Large

Council Members
Doug Brown - Ward I

Karen Becker - Ward II

Marty Block - Ward III

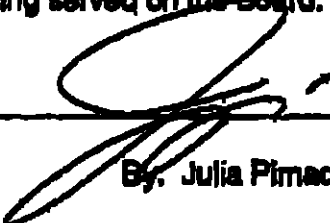
Mary Elze - At Large


Fred Wilson - At Large

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Meetings
Tuesday Evenings
7:00 p.m.

way for rail service. A copy of this statement is being served on the railroad on the same date it is being served on the Board.


By: Julia Pimack
Title: Mayor, City of Longmont


Acting Deputy City Clerk
Michelle Lamm



cc: City Council
Gordon Pedrow, City Manager
Dale Rademacher, Public Works and Water Utilities Department
Nick Wolfrum, Public Works and Water Utilities Department
Phil DeVecchio, Community Development Department
Don Bessler, Parks and Open Space
The BNSF Railway Company
Attn: Rich Batie
2500 Lou Menk Drive
AOB - Third Floor
Fort Worth, TX 76131
The Staubach Company
Attn: Susan Odom
BNSF Railway Company
2500 Lou Menk Drive
AOB - Third Floor
Fort Worth, TX 76131

APPROVED AS TO FORM


CITY ATTORNEY

